

September 10, 2015

Mr. George Thomas
Baltimore County Public Schools
6901 Charles Street
Towson, MD 21204

Re: Relay Elementary School at 5885 Selford Road
Forest Buffer Variance
Tracking # 01-15-2055

Dear Mr. Thomas:

A request for a variance from the Baltimore County Code Article 33, Title 6 Forest Conservation was received by this Department of Environmental Protection and Sustainability (EPS) on September 3, 2015. If granted, an entire 0.65-acre Forest Buffer from an intermittent stream would be eliminated to facilitate the construction of an athletic field associated with a proposed, replacement elementary school on an existing 15.8-acre school property. Of the 0.65-acre Forest Buffer, approximately 0.12 acre is forested with the balance being existing athletic fields.

This Department has reviewed your revised request and has determined that a practical difficulty exists due to the extent and location of the resources relative to the remaining usable portion of the site. We further find that the potential for impacts to water quality and aquatic resources as a result of this proposal has been minimized as much as possible while still allowing for the replacement athletic field. Moreover, offsite mitigation will offset the loss of the surface water resources and impacts to water quality at the site. Therefore, we will grant this request in accordance with Section 33-3-106 of the Baltimore County Code, with the following conditions:

1. The 0.12 acre of forested buffer loss shall be mitigated at a 2:1 ratio and the 0.53 acre at 1:1. Therefore, 0.77 acre of mitigation shall be provided at an EPS-approved Forest Buffer mitigation planting bank prior to issuance of any Baltimore County grading permit. A mitigation bank letter is enclosed for your use. The executed bank letter documenting the purchase of the mitigation must be received by EPS prior to permit issuance.
2. The proposed construction shall not directly impact the intermittent stream flowing along the site boundary generating the Forest Buffer at issue. Any impact to that stream will

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require a revised Forest Buffer variance request as well as a Joint Permit Application to Maryland Department of the Environment and U.S Army Corps of Engineers.

3. The following note must appear on all plans and plats submitted for this project:
“A variance was granted on September 10, 2015 by the Baltimore County Department of Environmental Protection and Sustainability from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains. Conditions were placed on this variance to reduce water quality impacts including offsite mitigation at an EPS-approved mitigation bank.”

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and a new variance request.

Please sign the statement below as the Baltimore County Public School representative and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If there are any questions regarding this correspondence, please contact Mr. Glenn Shaffer at (410) 887-3980.

Sincerely,

Vincent J Gardina
Director

VJG/ges

Enclosure

I/we agree to the above conditions to bring the referenced Baltimore County Public School site into compliance with Baltimore County’s Forest Conservation Law.

BCPS Representative’s Signature

Date

Printed Name